

## **PROCEDURES FOR REZONING REQUEST**

The following procedures must be followed when applying for rezoning:

1. The applicant must fill out a rezoning request form to be reviewed by the Planning and Zoning Administrator. The applicant must submit a check made payable to the City of Manchester in the amount of three hundred dollars (\$300.00) to cover the expense of the publication of a public hearing notice. This fee is not refundable.
2. The applicant will be referred to the Planning and Zoning Commission. The Planning and Zoning Commission meets on the second and fourth Mondays of every month at the City Hall at 7:00 p.m. The agenda for these meetings closes at 4:30 PM twenty (20) days prior to the meeting.
3. The Planning and Zoning Commission will investigate and report to the Board of Aldermen as to the effect of said building or use upon traffic and fire hazards, the character of the neighborhood and the general welfare of the community. Whenever the Commission considers an application for rezoning of a parcel of property, notice of such application shall be given, by letter, to all property owners within one hundred eighty-five (185) feet distant from the parcel being considered for rezoning. The names of such owners shall be provided to the Commission by the applicant. The Commission may also require a traffic analysis and/or projected sales volume analysis to assist in evaluating the application. A plat plan is required as well as a legal description of the proposed rezoning area.
4. The Commission shall make a recommendation to the Board of Aldermen within 90 days from the first presentation to the Commission. If the Commission should have an adverse report, the Commission shall forward to the Board of Aldermen its separate written report stating the reasons for its recommended denial of the application for rezoning.
5. Upon receipt of a report and a recommendation of the Commission, the Board of Aldermen shall set a public hearing on the request for rezoning. The Board shall give notice of the time and place for the hearing and have a notice thereof to be published at least one (1) time in a newspaper of a general circulation in the City of Manchester. The first publication of that notice shall be at least fifteen (15) days prior to the day of the hearing. Normally, the hearing will take place a minimum of one month after the meeting at which the Board sets the hearing.

City of Manchester  
Adopted 6/26/78  
Revised 10/20/97

The Board of Aldermen meet on the first and third Mondays of every month at the City Hall at 7:30 p.m. The agenda for these meetings closes at 12:00 noon the Wednesday prior to the meeting.

Where a rezoning of a commercial district is proposed adjacent to residential property, notice by letter shall be given to all other property owners within 185' distance from the parcel being considered for the rezoning permit by the City. The applicant for the rezoning permit shall supply the City the names and addresses of all persons to receive the notices.

6. After the Public Hearing, the rezoning will be taken under advisement by the Board of Aldermen who review the proposed rezoning in relation to the Master Plan and principles of land use and traffic planning and shall determine whether such rezoning will:

- A. Substantially increase the traffic hazards or congestion.
- B. Substantially increase the fire hazards.
- C. Adversely affect the character of the neighborhood.
- D. Adversely affect the general welfare of the community.
- E. Overtax the public utilities.

7. In case of an adverse report by the Commission, or if a protest against such proposed amendment, supplement, change, modification or repeal shall be presented in writing to the City, duly signed and acknowledge by the owners of ten percent (10%) or more, either of the area of land (exclusive of streets, places and alleys) included with such proposed amendment, supplement, change modification or repeal, or within an area, determined by lines drawn parallel to and 185' distant from the boundaries of the district proposed to be changed, such amendment, supplement, change modification or repeal shall not become effective except by the favorable vote of two-thirds of all the members of the Board of Aldermen.

8. At a time when the Board of Aldermen feel they have had enough input to make the above determinations, they will either enact an ordinance or turn down the request.

9. It normally takes a minimum of 60 to 90 days from the application's first being received by the City for final action by the Board of Aldermen.

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